

REMARKS

The above-noted revisions to the Abstract and Specification are submitted to clarify and correct the Abstract and Specification and to conform the Abstract and Specification to all of the requirements of U.S. practice. In addition, claims 1-16 have been amended to more clearly and appropriately claim the subject matter that Applicants consider to constitute their inventive contribution and in order to conform them to the requirements of U.S. practice. The amendments to the Abstract, Specification and claims are supported by the original Abstract, Specification and/or originally filed claims. No new matter is included in these amendments.

Paragraph 3

Claims 5-16 have been objected to under 37 C.F.R. §1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. The Examiner has stated that claims 5-16 have not been further treated on the merits. Notwithstanding this decision by the Examiner, Applicants have amended claims 5-16 by removing the improper multiple dependencies, thereby placing these claims in condition for allowance. Accordingly, Applicants respectfully request that the Examiner consider claims 5-16 on the merits.

Paragraphs 4-5

Claim 3 has been rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Examiner asserts that "[c]laim 3 is indefinite because it cannot be clearly determined how the further limitation recited in claim 3 differs from 'means for injecting a pressurized gas into said inner compartment' recited in claim 1." Applicants have amended claim 3 to recite, in pertinent part, "wherein said pressurized gas is pure oxygen or else nitrogen." Claim 3 now recites that

the gas injected into the reactor is pure oxygen or nitrogen. Applicants respectfully submit that claim 3 now differs in scope from claim 1. Accordingly, Applicants respectfully requests reconsideration of this claim and withdrawal of the rejection.

Paragraphs 6-7

Claims 1 and 3 are rejected under 35 U.S.C. §102(b) as being anticipated by *Whitney* (GB 2 202 549 A). According to the Examiner, "*Whitney* discloses a disposable reactor that includes an outer envelop (flexible outer membrane) and at least one inner envelop (flexible draught tube). The envelopes are sealed with respect to the external environment and the device includes a gas injection means (sparger) for the inner compartment. The envelopes communicate with one another such that liquid medium flows between the compartments (See Figure 2). The exhaust (See Figure 2) provides means for removing gas from the outer compartment." Applicants respectfully traverse this rejection because *Whitney* fails to disclose each and every element of claims 1 and 3.

Applicants submit that *Whitney* fails to disclose "means for removing directly said pressurized gas from said outer compartment outside the reactor[,]" as recited in claim 1. (See Spec., ¶¶42-44.) Element 103' in the presently claimed invention is described as follows: "[T]he gas injection and discharge means comprise nozzles 103, 103' connected in a sealed manner to the inner envelope 102 and outer envelope 101, respectively, so that one of their ends emerges in one of the inner and outer compartments and the other end emerges outside the reactor." (See Spec., ¶44.) On the other hand, the fermenter shown in Figure 2 of *Whitney* discloses both the inlet ("Sterile Air") and the outlet (Air Exhaust") directly connected to the flexible draught tube.

Applicants submit that the "Air Exhaust" (or outlet) shown at the top of Figure 2 in *Whitney* removes air from the flexible draught tube, and not from the "Culture Medium." Thus, if the claim recitation of a "means for injecting a pressurized gas into said inner compartment" is met by the element in Figure 2, i.e., the inlet defined as "Sterile Air," then by the same token, the "Air Exhaust" cannot be interpreted as a "means for removing said gas from said outer compartment." That is, both the inlet and the outlet of *Whitney* are illustrated as being directly connected to the flexible draught tube.

Further, *Whitney* discloses a liquid flow between the inner and the outer compartments at the bottom and at the top of the compartments. In contrast, claim 1 recites, in part, "in order to stir the liquid medium by making it flow between said compartments, mainly in the bottom of said compartments." (See Spec., ¶40 and Fig. 1.) Fig. 1 of the Specification shows liquid flow in the bottom of the compartments through the opening 104.

As such, *Whitney* fails to disclose each and every element of independent claim 1. Accordingly, in view of the forgoing, reconsideration and withdrawal of the rejection of claims 1 and 3 is respectfully requested.

Paragraphs 8-11

Claims 2 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Whitney* in view of *Mulder, et al.* (EP 0 325 337). The Examiner has concluded that it would have been obvious to provide the inner envelope of the primary reference, i.e., *Whitney*, with the lateral openings disclosed in *Mulder* that are less than the area of the bottom openings, for the known and expected result of reducing the hysteresis effects in a gas lift reactor. Applicants respectfully disagree that the

collective teachings of the cited prior art establish a case of *prima facie* obviousness.

Specifically, even if one skilled in the art had been motivated to combine the teachings of *Whitney* and *Mulder*, to which Applicants do not concede, the claimed invention would not have been produced. That is, such a combination would still lack, at the very least, a "means for removing directly said pressurized gas from said outer compartment outside the reactor." *Mulder* does not remedy the deficiencies of *Whitney* as discussed above, with respect to the rejection of claims 1 and 3.

In addition, *Mulder* does not disclose an opening in the bottom of the draft tube but a screen or netting through which gas is injected. (*Mulder Spec.*, Figures 2-4.) The screen enables the distribution of gas through the whole cross section of the draft tube. Otherwise, the flow of gas would remain mainly along the axis of the draft tube. Further, *Mulder* shows a flow of liquid medium between compartments in their upper parts, through the outlet 2 of the tube. Moreover, *Mulder* does not disclose the feature as claimed in dependent claim 2 because in the section referenced by the Examiner (*i.e.*, *Mulder*, pg. 3, lns. 18-24) there is no comparison between the cross section of the openings in the bottom of the inner envelope and the cross section of the lateral openings. In this referenced section, the area of the lateral openings is compared to the cross section of the draft tube (A) or to the cross section of the reactor minus A. "A" is not the cross section of the openings provided in the bottom of the inner envelope. These openings are provided in a screen, as discussed above.

Finally, in the fermenter/reactor of *Whitney* and *Mulder*, the gas flows through the liquid medium and sweeps it

along. In contrast, in the presently claimed invention, the gas does not flow through the liquid medium. Rather, the gas under pressure, injected in the inner compartment, is used to "push" the liquid medium in the inner compartment toward the bottom of the reactor through opening 104 to the outer compartment, thereby causing the medium to be stirred (See Spec., ¶¶46-47.)


Accordingly, neither *Whitney* nor *Mulder*, either alone or in combination, renders dependent claims 2 and 4 obvious. Furthermore, claims 2 and 4 dependent from amended independent claim 1, now believed to be in condition for allowance, and as such are in condition for allowance.

In view of the foregoing remarks, the application is believed to be in condition for allowance, and early notice to this effect is earnestly solicited. If allowance of this application may be expedited by resolution of any issues through a telephone conference, the Examiner is encouraged to call the undersigned.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 8, 2004

Respectfully submitted,

By 

Scott S. Servilla
Registration No.: 40,806
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicants

REACTOR FOR CULTURING CELLS OR MICROORGANISMS OR FOR
DISSOLVING OR SUSPENDING A POWDER IN A LIQUID MEDIUM

BACKGROUND

[0001] The present invention relates to a reactor for culturing cells or microorganisms, or for dissolving or suspending a powder in a liquid medium. ~~One particularly advantageous application of the~~ In particular, the present invention relates to ~~is in the field of biotechnology, and more particularly in the field of~~ specifically, the pharmaceutical industry in which cell cultures and cultures of microorganisms are regularly used as a means of producing therapeutic molecules, and ~~One particularly advantageous application of the invention is also in the field of pharmacy for the manufacture of medicaments, or else in the agri-foodstuff and cosmetic fields.~~

[0002] Cultures of microorganisms such as bacteria, fungi and yeasts are normally produced in bioreactors of large volume allowing mass production on an industrial scale. Plant cell cultures are produced instead in apparatuses of small volume and still remain at the present time at the development stage since the production cost hinders their extension.

[0003] The culturing of animal and human cells constitutes at the present time one of the major thrusts in the pharmaceutical industry, as they allow new therapeutic approaches, such as gene therapy, to be implemented.

[0004] This is because these cell cultures are used either as the actual essence of the medicament within the context of cell therapy or as a means of producing viral vectors used in gene therapy.

[0005] Cell therapy consists in removing certain cell

populations from a patient so as to cultivate them and reinject them so as to reestablish or accentuate a particular activity.

[0006] As regards gene therapy, this has the objective of restoring, in the tissues of a patient, a deficient biological function by introducing therapeutic genes by means of appropriate viral vectors.

[0007] At the present time, cell cultures and cultures of microorganisms are produced in reactors having volumes varying between 1 and 5000 liters.

[0008] The reactors known at the present time comprise a glass or stainless steel tank, glass being used more for the small volumes and stainless steel for the larger volumes. They also include a propeller stirrer mounted in the bottom of the tank in order to stir the culture medium and keep the cells in continuous suspension.

[0010] Oxygenation of the culture medium in these known reactors preferably takes place with air, or else with pure oxygen, which is more difficult to regulate and which has the risk of oxidizing the culture medium. Oxygenation may also be carried out with air enriched with 30% oxygen.

[0011] After each culturing of cells or microorganisms, these reactors must be washed, decontaminated and rinsed. They are sterilized before each new culturing, either in an autoclave in the case of small-volume reactors or by injecting steam in the case of larger-volume reactors.

[0012] The operations of washing, maintaining and sterilizing these reactors are steps which are lengthy but essential for their operation.

[0013] In terms of cost, time and human resources, they may represent up to 30% of the operation of the reactor, which is very high.

SUMMARY OF THE INVENTION

[0014] Compared with the aforementioned prior art, aspects of the present invention provides a novel reactor for culturing cells or microorganisms, which is simple, easy to use and of relatively low manufacturing cost, ~~and~~ which is disposable.

[0015] More particularly, the invention provides a disposable reactor ~~which~~ that comprises an outer envelope and at least one inner envelope ~~which are~~ made of plastic, these being placed in one another so as to define, on the one hand, inside ~~said~~ the inner envelope, an inner compartment and, on the other hand, between the inner and outer envelopes, at least one outer compartment, ~~said~~ the compartments being intended to contain a liquid medium, ~~said~~ the envelopes being closed in a sealed manner with respect to the external environment and communicating with one another, which reactor is provided with means for injecting a pressurized gas into ~~said~~ the inner compartment and means for removing ~~said~~ the gas from ~~said~~ the outer compartment in order to stir the liquid medium by making it flow between ~~said~~ the compartments.

[0016] The liquid medium is advantageously a culture medium.

[0017] Thus, according to aspects of the present invention, this single-use reactor allows the user to dispense with any washing and maintenance operation, this representing a very substantial saving in terms of time and money.

[0018] According to a preferred embodiment of the present invention, ~~an advantageous characteristic of the reactor according to the invention~~, each inner envelope has an opening in its bottom and at least two lateral openings

capable of establishing communication between the inner and outer compartments, the opening provided in the bottom of ~~said the~~ inner envelope having a much greater cross section than those of ~~said the~~ lateral openings.

[0019] The diameter of the lateral openings is preferably determined so that ~~said the~~ openings can allow the culture medium to pass through them at a rate sufficient to break the ascending flux of the medium between the two envelopes, while ~~said the~~ medium is being stirred.

[0020] The diameter of the opening at the bottom is determined so that the opening is large enough for the liquid flux to pass mainly through ~~said the~~ opening and for the particles of the culture medium to be completely resuspended.

[0021] According to other nonlimiting ~~and advantageous~~ features ~~of the reactor according to the invention:~~ embodiments of the present invention, there is provide it includes means for injecting gas into the inner compartment. The gas is ~~advantageously~~ preferably pure oxygen for oxygenating the culture medium, or nitrogen in order to prevent oxygenation of the medium~~†~~. Preferably, each inner envelope has a band of perforations extending approximately transversely to the longitudinal direction of ~~said the~~ envelope, ~~said the~~ perforations favoring transfer of the gas from one compartment to the other~~†~~. Preferably, the gas injection means comprise a plastic nozzle connected in a sealed manner to ~~said the~~ inner envelope so that one of its ends emerges in the inner compartment, the other end preferably emerging outside ~~said the~~ reactor~~†~~. The said gas injection and discharge means preferably comprise plastic nozzles connected in a sealed manner to ~~said the~~ inner and outer envelopes respectively, so that one of

their ends emerges in one of ~~said~~the inner and outer compartments, the other end emerging outside the reactor~~+~~. Preferably, each gas inlet and outlet is provided with an absolute filter so as to avoid any possible contamination by contaminating agents conveyed by ~~said~~the gas from the liquid medium contained in ~~said~~the envelopes of the reactor~~+~~.

[0022] Preferably, the outer envelope of the reactor has, laterally, at least one tap-off for introducing the culture medium into ~~said~~the compartments~~+~~.

[0023] ~~said~~More preferably, inner and outer envelopes are made of a flexible material, preferably a flexible polyvinyl chloride film, or a polyurethane film~~+~~. and

[0024] Most preferably, the reactor includes a sampling bag made of a flexible plastic material and connected in a sealed manner to ~~said~~the outer envelope so that it communicates with the outer compartment in order that, with the liquid medium being stirred, part of the latter is poured out into ~~said~~the sampling bag.

BRIEF DESCRIPTION OF THE DRAWINGS

[0025] The description which follows, in conjunction with the appended drawings, given by way of nonlimiting examples, will ~~make what~~describe aspects of the present ~~the invention consists of~~ and how it may be ~~realized~~ more clearly understood.

[0026] ~~In the appended drawings:~~

[0027] Figure 1 shows a front view of a preferred embodiment of ~~the~~a reactor according to one aspect of the present the invention~~+~~. and

[0028] Figure 2 is a table of values of volumes of the reactor ~~according to the invention of Figure 1.~~

DETAILED DESCRIPTION

[0029] Figure 1 shows a disposable reactor 100 for culturing cells or microorganisms. Of course, this reactor may be designed to be used for suspending or dissolving solid particles in a liquid medium.

[0030] This reactor 100 comprises an outer envelope 101 and an inner envelope 102 which are made of a flexible plastic and placed in one another so as to define, on the one hand, inside ~~said~~the inner envelope 102, an inner compartment and, on the other hand, between the inner envelope 102 and outer envelope 101, an outer compartment.

[0031] The inner envelope 102 and outer envelope 101 constitute flexible bags, one inserted inside the other.

[0032] The reactor 100 as shown has ~~here~~ a useful volume of about 20 liters, which represents an outer envelope 101 with a width of 360 mm and an inner envelope 102 with a width of about 260 mm.

[0033] The two, inner and outer, envelopes 101, 102 are positioned with respect to each other so as to be concentric with respect to a longitudinal axis X.

[0034] Of course, reactors of the same type could be provided ~~which~~that have a larger volume, ranging up to at least 400 - 500 liters.

[0035] ~~Said~~The envelopes 101, 102 are preferably made of a flexible polyvinyl chloride film, which is high-frequency weldable, inexpensive and has good mechanical strength.

[0036] Provision may also be made for the outer and inner envelopes to be made of polyurethane, which resists heat well and has great mechanical strength.

[0037] The inner envelope 102 and outer envelope 101 are closed in a sealed manner with respect to the external environment and communicate with each other.

[0038] The envelopes 101, 102 are sealed along their upper edges 101a, 102a preferably by high-frequency welding so that the weld joins them together.

[0039] The inner envelope 102 has an opening 104 in its bottom and at least two lateral openings 105 capable of establishing communication between the inner and outer compartments, ~~—.~~ ~~‡~~ The opening 104 provided in the bottom of ~~said—the~~ inner envelope ~~having—~~ has a much greater cross section than that of the lateral openings.

[0040] More particularly, the opening 104 provided in the bottom of the inner envelope 102 has here a width when flat of 60 mm. This width has been carefully determined so that the opening 104 is large enough for the flux of liquid culture medium to pass mainly through this opening and for the particles, which have settled in the culture medium, to be completely resuspended.

[0041] The diameter of the lateral openings 105 of the inner envelope 102 has been determined so that these lateral openings can allow a sufficient flow of liquid to pass through them so as to break the ascending flux of liquid medium between the two envelopes and prevent the flexible inner envelope 102 from being bent during the ascent of ~~said—the~~ liquid medium in the inner compartment, thereby making it possible to obtain good homogenization of ~~said—the~~ culture medium.

[0042] The liquid medium in the reactor 100 is stirred with the aid of means for injecting a pressurized gas into ~~said—the~~ inner compartment and with the aid of means for discharging ~~said—the~~ gas from ~~said—the~~ outer compartment so as to make the culture medium flow between ~~said—the~~ compartments via ~~said—the~~ openings 104, 105.

[0043] The term "pressurized gas" is understood here to

mean a gas under a slight overpressure with respect to atmospheric pressure (an overpressure of a few mbar is sufficient).

[0044] According to the example shown, the gas injection and discharge means comprise nozzles 103, 103' connected in a sealed manner to ~~said~~the inner envelope 102 and outer envelope 101, respectively, so that one of their ends emerges in one of ~~said~~the inner and outer compartments and the other end emerges outside the reactor.

[0045] The nozzles 103 are intended to be connected to a pressurized gas feed (not shown), preferably a pressurized air feed.

[0046] Thus, the stirring of the medium in the reactor according to the invention is based on fluid mechanics so as to make the culture medium perfectly homogeneous. The pressure exerted in the inner compartment of the reactor causes the culture medium to rise in the outer compartment defined between the two envelopes, the supernatant decanted matter therefore being immediately resuspended.

[0047] When the pressure is released, the level of the liquid medium returns to its initial state in the inner compartment, thereby also causing the medium to be stirred.

[0048] The leaktight connection between the plastic nozzles 103, 103' and ~~said~~the envelopes 102, 101 is made when the two envelopes are welded together.

[0049] The reactor 100 also includes means for injecting a gas, here pure oxygen, into the inner compartment in order to oxygenate the culture medium.

[0050] These pure oxygen injection means may comprise a plastic nozzle, independent of the nozzles 103, 103', which is connected in a sealed manner to the inner envelope of the reactor so that one of its ends emerges in the inner

compartment, the other end emerging outside the reactor, in order for it to be connected to a pure oxygen feed.

[0051] According to the embodiment shown, the pressurized gas is injected into the inner compartment simultaneously with the injection of pure oxygen via the same nozzles 103.

[0052] Advantageously, the inner envelope 102 of the reactor includes a band of perforations 106 extending approximately transversely to the longitudinal direction X of the envelope 102, ~~—~~. ~~These~~ said perforations 106 favoring the transfer of pure oxygen from one compartment to the other.

[0053] The density of the perforations is determined according to the intended degree of oxygenation of the culture medium contained in ~~said~~ envelopes. Furthermore, the thermoplastic used to produce the inner and outer envelopes of the reactor is permeable to the gas, and especially to oxygen, so as to increase the area for exchange between the culture medium and the environment and therefore to optimize the oxygenation of the medium.

[0054] The outer envelope 101 includes, laterally, a tap-off, here a sealed plug 107 allowing the culture medium to be introduced and extracted. This tap-off 107 is protected by a suitable adhesive tamper-evident tab and can be opened by perforating the outer envelope in a perfectly sterile manner.

[0055] As figure 1 shows, the reactor furthermore includes at least one plastic pipe 108, which is connected in a sealed manner to ~~said~~ the outer envelope (in the same way as the other nozzles) and emerges at one end in the bottom of the inner compartment and at another end outside the reactor, in order to introduce various measurement probes.

[0056] In particular, it is possible to introduce a pH

probe or an oxygen probe to check whether sufficient oxygen has been transferred during culturing of the medium contained in the compartments of the reactor. This pipe is made of a thermoplastic and is welded to the inner and outer envelopes in a perfectly sealed manner, preferably by high-frequency welding.

[0057] The temperature in the reactor 100 is advantageously regulated with the aid of a vortex tube, which is connected in a sealed manner to the outer envelope and emerges at one end in the bottom of the outer compartment and at the other end outside the reactor. The vortex tube converts an ordinary compressed-air supply into two streams of air: one hot and the other cold, at a pressure slightly above atmospheric pressure. A throttling valve on the hot outlet of the tube (not shown) makes it possible to adjust the flow rates and temperatures over a continuous range. This heating or cooling system is regulated by a temperature probe (not shown) slipped into the pipe 108.

[0058] Advantageously, the reactor 100 may include a sampling bag (not shown) made of a flexible thermoplastic and connected in a sealed manner by a weld to ~~said the~~ outer envelope so that it communicates with the outer compartment. In this way, when the liquid medium is stirred, part of the latter is poured out into ~~said the~~ sampling bag. ~~and~~ ~~s~~ Samples may be taken at any moment, during the culturing of the medium, with the aid of a clip ~~which that~~ heat-seals and cuts off a sample bag from the sampling bag in order to recover a defined amount of sample of the liquid medium. This allows sequenced sampling to be carried out.

[0059] However, provision may be made for this reactor not to have such a sampling bag and for the medium to be

recovered after culturing by opening the envelopes.

[0060] The reactor is drained with the aid of a pump (not shown) provided on the upstream side with a filter which may be connected to the nozzle 103' shown in ~~Figure~~ Figure 1. This pump is associated with a hollow dip tube (not shown), which makes it possible to sample the medium via the bottom of the reactor 100.

[0061] According to the example shown, the minimum height of the inner envelope 102 has been set at 260 mm and the maximum height of the liquid medium in ~~said~~the envelopes is set here at 900 mm.

[0062] The difference between the widths of the two envelopes 101, 102 was determined by trials so that the inner envelope is wide enough and allows a large area for exchange between the liquid medium and the air or oxygen.

[0063] The volume of the outer compartment, that is to say the space provided between the two envelopes, must be large enough to allow the liquid medium to be properly removed from the inner envelope and for the culture medium to be made perfectly homogeneous.

[0064] The range of volumes for this type of reactor 100 is between 11 and 20 liters, knowing that there is complete homogenization of the medium contained in the reactor, even a 20 liter reactor. The various volumes appear in table 1, shown in ~~Figure~~ Figure 2.

[0065] The reactor 100 is advantageously delivered ready for use, is perfectly sterile and is optionally fitted with all the probes necessary for using it. It may be prefilled with the culture medium.

[0066] Furthermore, a rigid retaining tank may be provided, in which ~~said~~the outer and inner flexible envelopes are suspended with the aid of standard suspension

means. This retaining tank is then perfectly sealed and ensures that the system is secure should the outer envelope be inopportunately pierced.

[0067] The present invention is in no way limited to the embodiment described and shown, rather a person skilled in the art will be able to make any variant thereof in accordance with its spirit.

[0068] In particular, provision may be made for the inner and outer envelopes to be made of a rigid plastic.

~~[0070]~~ [0069] The reactor according to the invention may also be provided so as to comprise a number of envelopes greater than 2, these being imbricated in one another so as to define an inner compartment at the center of the reactor and a plurality of concentric outer compartments surrounding ~~said~~ the inner compartment, all of the compartments communicating with one another in order for the culture medium to flow between ~~said~~ the compartments.

ABSTRACT

~~The invention concerns a~~ A disposable reactor (100) for culturing ~~of~~ cells or micro-organisms or for dissolving or suspending solid particles in a liquid medium, ~~is disclosed.~~ The reactor ~~The reactor~~ comprisinges an outer casing (101) and at least an inner casing (102) made of plastic material, and nested into each other, The casings ~~are said casings being~~ tightly closed with respect to outside environment and ~~communicating~~ ing with each other, Means are ~~and it is provided with means for~~ supplying pressurized gas into ~~said the~~ casings ~~and means and~~ for evacuating ~~said the~~ gas outside to stir the liquid medium contained in ~~said the~~ casings by causing it to flow from one casing to the other.